

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

CSX CORPORATION

SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER:

08 CV 02764

THE CHILDREN'S INVESTMENT FUND MANAGEMENT (UK) LLP, THE CHILDREN'S INVESTMENT FUND MANAGEMENT (CAYMAN) LTD., THE CHILDREN'S INVESTMENT MASTER FUND, 3G CAPITAL PARTNERS LTD., 3G CAPITAL PARTNERS, L.P., 3G FUND, L.P., CHRISTOPHER HOHN, SNEHAL AMIN and ALEXANDRE BEHRING, a/k/a ALEXANDRE BEHRING COSTA

TO: (Name and Address of Defendant)

SEE ATTACHMENT A

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Rory O. Millson
Francis P. Barron
Michael A. Paskin
CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, NY 10019
(212) 474-1000

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

J. MICHAEL McMAHON

CLERK

BY DEPUTY CLERK

MAR 17 2008

DATE

Service of the Summons and Complaint was made by me¹

DATE _____

NAME OF SERVER (PRINT)

TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- _____
- ☐ Other (specify): _____
- _____

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL	
-------	--

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date Signature of Server

Address of Server

ATTACHMENT A

Defendants:

THE CHILDREN'S INVESTMENT FUND MANAGEMENT (UK) LLP

7 Clifford Street
London, W1S 2WE
United Kingdom

THE CHILDREN'S INVESTMENT FUND MANAGEMENT (CAYMAN) LTD.

PO Box 309GT
Ugland House
South Church Street
George Town, Grand Cayman, Cayman Islands
British West Indies

THE CHILDREN'S INVESTMENT MASTER FUND

PO Box 309GT
Ugland House
South Church Street
George Town, Grand Cayman, Cayman Islands
British West Indies

3G CAPITAL PARTNERS LTD.

36A Dr. Roy's Drive
PO Box 2510
George Town, Grand Cayman, Cayman Islands
British West Indies

3G CAPITAL PARTNERS, L.P.

36A Dr. Roy's Drive
PO Box 2510
George Town, Grand Cayman, Cayman Islands
British West Indies

3G FUND, L.P.

36A Dr. Roy's Drive
PO Box 2510
George Town, Grand Cayman, Cayman Islands
British West Indies

CHRISTOPHER HOHN

In care of The Children's Investment Fund Management (UK) LLP
7 Clifford Street
London, W1S 2WE
United Kingdom

SNEHAL AMIN

10022 Lakeside Gables Drive
Houston, TX 77065 (Harris County)

ALEXANDRE BEHRING, A/K/A ALEXANDRE BEHRING COSTA

In care of 3G Capital Inc.
800 Third Avenue
31st Floor
New York, NY 10022 (New York County)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CSX CORPORATION,

Plaintiff,

vs.

THE CHILDREN'S INVESTMENT FUND
MANAGEMENT (UK) LLP, *et al.*,

Defendants.

08 CV 02764
(LAK) (KNF)

DECLARATION OF SERVICE

KEITH S. KAPLAN hereby declares as follows:

I am over the age of 18 years, not a party to this action and reside
at 670 Ramapo Rd., Teaneck, NJ 07666.

On the 17th day of March, 2008, I served the SUMMONS AND
COMPLAINT, RULE 7.1 STATEMENT, INDIVIDUAL PRACTICES FOR JUDGE
LEWIS A. KAPLAN and INDIVIDUAL PRACTICES FOR MAGISTRATE JUDGE
KEVIN N. FOX

upon:

THE CHILDREN'S INVESTMENT FUND
MANAGEMENT (UK) LLP

THE CHILDREN'S INVESTMENT FUND
MANAGEMENT (CAYMAN) LTD.

THE CHILDREN'S INVESTMENT MASTER
FUND

CHRISTOPHER HOHN

SNEHAL AMIN

by personally delivering true and correct copies of the aforementioned documents to

Howard O. Godnick, Esq.
SCHULTE ROTH & ZABEL, LLP
919 Third Avenue
New York, NY 10022
Attorney for above listed Defendants

Said documents were accepted by Barbara "Doe", Mr. Godnick's administrative assistant who confirmed that she was authorized to accept service on his behalf.

Dated, this 24th day of March, 2008, at New York, New York.

I declare under penalty of perjury that the foregoing is true and correct.



Keith S. Kaplan